

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY
HALL ON TUESDAY, DECEMBER 6, 2016

The meeting was called to order by Mayor Neitzke at 7:00 p.m.

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|---------------|-----------------------|---------|
| 1. ROLL CALL: | Aldersperson Lubotsky | Present |
| | Aldersperson Bailey | Present |
| | Aldersperson Akers | Present |
| | Aldersperson Saryan | Present |
| | Aldersperson Kastner | Present |

ALSO PRESENT:	Jennifer Goergen	City Clerk
	Roger Pyzyk	City Attorney
	Jeff Katz	Director of Neighborhood Services
	Chuck Erickson	Community Development Manager

2. An opening prayer was given by Chaplain Leggett.
3. Pledge of Allegiance
4. It was moved by Aldersperson Bailey, seconded by Aldersperson Lubotsky, to approve the November 15, 2016 Council minutes, as recorded. Motion carried unanimously.
5. Mayor's Report

The annual Christmas Tree Lighting was Saturday at City Hall. He wanted to thank the Greenfield High School choir for their wonderful performance and for all the people that attended.

Taxes are coming out December 10 or 11th. Leaf pick up is now officially over. All the trucks have been converted to snow removal operations and salting.

We received a 2016 Urban Forestry Grant Award from the State of Wisconsin Department of Natural Resources. This is one of many awards the City has received with regard to the Urban Forestry Grant program. A resolution was previously prepared. The Mayor asked for the Council to re-affirm its support of the previous resolution for the Urban Forestry Grant.

It was moved by Aldersperson Akers, seconded by Aldersperson Bailey to reconfirm the Resolution in support of the Urban Forestry Grant award from the Wisconsin Department of Natural Resources. On a roll call vote, motion carries unanimously.

6. Aldermanic Reports

Aldersperson Bailey provided an update to the Common Council members on the Tree Commission meeting that was held last Thursday, December 1, 2016 where the Commission discussed their goals of the Tree Commission and what they want to do for the City for 2017. They reviewed the goals that were accomplished for 2016 including the 43rd Street project where 87 trees will or have been planted during the reconstruction. There were eighty replacement trees. Also noted that a grant was

applied for an educational nature walk at Konkel Park that would go basically from Edgewood School to the high school. They applied for a grant for the project, put up some signage to create an educational walk through there. The Commission also looked into Glenwood School creating the Glenwood woods area just south of Glenwood School into an educational nature area. The city forestry department planted 259 trees in 2016 of which 50 were replacements and 209 were new trees as well as pruned 1,500 trees. They treated 400 trees for the ash borer disease.

Mayor Neitzke followed up on the Tree Commission and Glenwood woods project. He and staff met with the school district, and plans are underway for the educational center there. They will be working cooperatively with the Greenfield School District to likely rezone the property to a park and recreational type use. It will help them develop the woods so it can be used for education.

Alderperson Akers reported that on Saturday the Breakfast with Santa was held and it went very well.

Alderperson Lubotsky said December 10 is the library bake and craft sale from 10:00 a.m. to 2:00 p.m. at our wonderful library. And from 11:00 a.m. to 1:00 p.m., the high school is giving different performances.

7. Announcements – None.
8. Citizen Commentary - None

The Public Hearing for Items #9 and #10 were held together.

9. 7:05 p.m. Public hearing for approval of an amendment to the Comprehensive Land Use Plan (from Single Family to Mixed Residential), requested by Kenneth Sidello, Sidello Property LLC, 4864 S 10th Street, for a proposed market-rate multi-family apartment development called “The Sanctuary at Cherokee Point” at 4142 S. 43rd Street and 4202 S. 43rd Street consisting of three 10-unit buildings on this 3.2 acre site. Tax Key Nos. 575-8926-001 and 575-8926-002.

Notice of public hearing was published in the City’s official newspaper on November 3, 2015.

10. 7:10 p.m. Public hearing regarding a submittal by Kenneth Sidello, Sidello Property LLC, for approval to rezone two parcels at 4142 S 43rd Street and 4202 S 43rd Street from R-3 Single Family to PUD – Residential for a proposed market-rate multi-family apartment development called “The Sanctuary at Cherokee Point”. Tax Key Nos. 575-8926-001 and 575-8926-002.

Notice of public hearing was published in the City’s official newspaper on November 17 and 24, 2016.

Chuck Erickson, Community Development Manager, presented diagrams of the property in question. The first overhead shown was the 400 foot radius map used to notify property owners within that particular area. There were approximately 15 tax keys notified. In your packets, and/or electronically, you have what is the proposed site plan for this particular area which shows that because of the topography and wetland features, the proposed buildings are clustered to the westerly half or two-thirds of that particular site. The proposed building elevations and land use plan was also

reviewed. This particular area is in the land use plan and the zoning map, the Plan Commission in making a favorable recommendation for both changes is that the proposed use is compatible with its immediate surrounding as far as Cherokee to the north and Ravinia to the east and to the south. So what does mixed residential mean within the context of a land use term. Basically it is the designation we have when there are multi-family housing. So the color coding, if you will, per the Comp Plan would be consistent with its immediate neighbors as identified before and in a similar basis, the R-3 or the existing single family zoning for the two properties makes no sense and that part of the proposed change to a PUD – multi-family residential type designation to be consistent with the uses to the north east and south. For quick comparison, this is one of the things that the Plan Commission looked at as well in the sense of how does it look density-wise as a comp to its immediate neighbors and this is just the numbers look at the gross site as a whole and looking at the density. The Plan Commission has a favorable recommendation on the proposed changes to both the Comp Plan and the Zoning map. Mr. Sidello is here to address the Council at an appropriate time and address any questions the members may have.

The following people registered against the proposal but did not speak:

Kathy Pankowski, 4040 S 43rd St registered against but not speaking.
Chad Bertino, 4355 S 43rd St registered but not speaking.

The following people addressed the Council against the proposal:

Karl Schroeder, 3966 S 44th Street, wanted to know what type of building complex this is going to be. Mr. Schroeder's concern is the inherent problems that come along with low income rental properties, such as increased crime, and so forth. He just didn't want any more of that in his neighborhood.

Greg Bachmann, 4260 S 43rd Street, asked about rental market rate pricing and its fluctuation, the increased crime, and how the proposed development would utilize the property, storm water runoff, and traffic on 43rd Street.

Ed Thomas, 4250 S 43rd Street, said his concerns were traffic on 43rd Street, water pressure problems getting worse, crime, and the number of apartments in the area.

David Kuchta, 4040 S.43rd Street, stated that he was concerned about the speed of the traffic on 43rd Street and the lack of enforcement, crime and the amount of garbage in the area.

Mark and Kathy Lueth, 4321 S 43rd Street, agreed with the others regarding the large amount of traffic, parking issues, the increase of kids to the schools and the crime in the area with regard to the apartments. Kathy Lueth was not present.

Todd Beuchamp, 4001 S 43rd Street stated that his concerns were that he had to find out about the hearing from a neighbor and was not notified by the City, the high number of apartments already in the area, crime, and the amount and speed and traffic on 43rd Street.

Chad Bertino, 4355 S 43rd St originally registered to not speak, requested to speak now. Mr. Bertino expressed concerns about the notice process, the number of apartments in the area, and the high amount of traffic speeding on the street.

Mayor Neitzke said, he was born and raised here, attended Elmdale and the high school. Many of us were born and raised in the City so when we are in a public hearing like this, we are here to listen to you. The Mayor said he gets calls from people about traffic on many of the city streets. There is no question that 43rd Street is busy. Much of that has to do with redevelopment in West Milwaukee and the commercial activity there. The other thing is that almost all of the traffic that comes from either Illinois, Racine, Kenosha, or Oak Creek as they get off on 43rd Street to take Miller Parkway to the stadium. So I am not sure if we, as a City, can change that. At one point, they wanted to build a freeway through there as you will recall. The reason they wanted to build a freeway there is because that is where all the people went and that is the fastest way to get them there. So now that there is no freeway, they still take that route because it is the fastest way to get there. An audience member mentioned that 60th is going to be closed for two years and all this traffic is going to be diverted to 76 and 43rd. The response was that it is a one year project.

The following people addressed the Council to provide information in support of the proposal:

Kenneth R. Sidello, 4864 S 10th Street registered to speak in favor. Sidello stated that this site was chosen because the fit it had in between two already existing apartment complexes and the cemetery across the street. He went on to address each concern heard tonight: The traffic that is there is already there. Theoretically, the 28 units they are putting in because there are already two houses there now, is a very small development by today's standards. A lot of the Ravinia problems that you were speaking of is typical when you get into those bigger, larger apartment complexes. There is a large amount of turnover each year and historically have those issues. On a smaller building like we are proposing to build, tenants stay long term. By catering to some of the baby boomers and empty nesters, we are going to put in amenities such as bird feeders and bird sanctuary, a pergola and elevated gardens with running water. We are going to have a dedicated grilling area in a park type setting to make it more like a home. There are 40 indoor parking garages built right into the building, and parking outside the garage that equates to another 20 parking spots and some visitor parking. The front building will be 85 feet back from the street on a heavily wooded lot with a lot of mature trees we are going to try to save. Our development, being smaller in nature, will help baby boomers who are ready to downsize but not ready to leave the suburban communities and the millennials who want to work in the suburbs and are also looking for dwelling options close to their office. Homeownership has changed. Preferences have changed so empty nesters are attracted to apartments because they can stay close to their grown children, their friends, their places of worship but they no longer have to worry about their large homes, yards, their tax bills, their maintenance. This fills the gap between the single family house and the senior housing. Despite the increased competition, we are confident the new apartment units we build will attract the market we are looking for. As far as crime, it requires good strong management. We do everything possible when we interview a prospective tenant to rent. They have to go through a sexual registry, criminal and a credit background checks. It is a small apartment development at full market rate and the funding is private. The 28 units that will be increased on this lot are not going to change the traffic problems that you already have. As far as the value of the real estate changing on this street or in this area, there is not going to be a negative impact. This quality and handsome building is going to enhance the neighborhood. Mr. Sidello added that he has owned and operated real estate for 30 years.

Developers have to comply with, the quantity and quality of the water that leaves their site. They put these huge chambers under the ground to hold the water to release it gradually and filter the water for the quality issues.

Eric Lenz, 4810 S 76th Street registered to speak in favor. He is familiar with the area for over 5 decades as he grew up in Greenfield and used to hunt rabbits back there. In 1976, he received a degree in real estate from the University of Wisconsin and I have been practicing real estate since then. Every piece of real estate has its highest and best use. What is being proposed here is the highest and best use in his opinion. Mr. Lenz knows Mr. Sidello and the type of development he would build and how he takes care of his properties. This development will be an enhancement to the property, to the neighborhood, and actually, help the neighbor's houses improve their value. I don't think you could ask a better person to do the development. I am in favor of the development.

The Mayor then read into the record a message received via a phone call from Karen Seebruck of 4455 S 43rd Street who called to indicate her opposition to proposed development citing more crime and traffic.

It was moved by Alderperson Lubotsky, seconded by Alderperson Akers to close the public hearing at 8:20 p.m. Motion carried unanimously.

Alderperson Lubotsky stated that a single family home would be a better fit for this area and will complement the single residential family homes in this area that are already there. The southbound traffic already backs up north past Cold Spring. I get off the freeway there at the end of the day and you can't even turn on 43rd. She talked to the property manager at Ravinia and asked what the rents were. And interestingly enough, the property manager said, well, it depends on how many vacancies we have. If they have a lot of vacancies, we lower the rent to fill them. Alderperson Lubotsky also talked to the property manager at Cherokee Village and they have a lot of vacancies in both of the apartment buildings. She thinks that with this additional building that is being proposed that it is an over saturation of apartments in the area which do put a strain on the PD and Fire and on our schools. I think that your apartment complex sounds great and I appreciate all the development in the homes and apartments you own in Greenfield but maybe you should keep looking at other sites. I just don't think it is a fit for this particular area. I think that it is just so busy there now, and speaking to both property managers, and Ravinia lowering the rents just to get bodies in there. I don't want to take away from the homeowners of the area by having more apartments there. Someone could put a duplex in there or a single family house and have a beautiful wooded natural lot with wildlife. It doesn't have to be a 30 unit apartment going in there. It will sell eventually so it isn't take this or nothing will go in.

Alderperson Bailey said that normally, he is not in favor of more apartments, especially the bigger apartment complexes. This is a smaller one with only 30 units and looks like it is well planned. As far as the traffic on 43rd Street, if we believe that these 30 units are going to create more traffic, I guess they will. Is it going to have a profound effect on the traffic on 43rd Street? No. The DPW Committee has done studies on traffic and speeding. The only effective way is speed humps to calm traffic other than having squads running traffic.

Alderson Lubotsky said, Cherokee Village has 84 units and Ravinia has 206 for a total of 290 units. If we add the 30 that are being proposed tonight, there would be a total of 320 within a one-half block radius.

Alderson Akers agreed that speed bumps and stuff like that would definitely do some things there but it also would annoy a lot of the residents that live there because they also have to deal with it every day too. She was wondering about the possibilities of putting up lights there and trying to coordinate the two lights on that stretch to cut down some of the major traffic to allow homeowners time to get in and out a little easier.

Jeff responded, if there was a traffic signal on 43rd and Cold Spring, you are right, sometimes it would create gaps there. I don't know if there has ever been a study to see if it qualifies for a traffic signal.

The Mayor mentioned that they have been in conversation with the DOT about 43rd Street where it comes out by the old George Webb. It is too close to the on ramp and it is a pretty dangerous intersection coming down Loomis to 43rd Street. They are looking at ways to regulate that traffic.

The Mayor said that the reality is what we are here to talk about tonight is not the traffic on 43rd although it seems to be a characteristic of some of the opposition associated with this development and the additional traffic it would create. It is a fair statement that whatever happens in the 20 years that the traffic on 43rd street is going to be at least what it is and will probably expand. I don't think it is ever going to get better on 43rd Street or 60th or 76th or some of the other streets.

Alderson Bailey asked, what the parking ratio of the development including the garages? The reply was 2.2 per unit. The Mayor stated that is higher than our standard and it appears that we have enough parking. The Mayor said that we want to make sure the parking stays on site, and is not along the roads because we get concerns with that too.

Alderson Lubotsky, said, what worries me is the market rate. If Ravinia is \$1,600 a month and they are renting them for what they can to get people in there, what guarantee do we have that this proposed development market rate might be \$300-400 a month. And then, you know, something is better than nothing like the property manager at Ravinia said.

It was moved by Alderson Kastner, seconded to Alderson Bailey to approve an amendment to the Comprehensive Land Use Plan (from Single Family to Mixed Residential), requested by Kenneth Sidello, Sidello Property LLC, 4864 S 10th Street, for a proposed market-rate multi-family apartment development called "The Sanctuary at Cherokee Point" at 4142 S. 43rd Street and 4202 S. 43rd Street consisting of three 10-unit buildings on this 3.2 acre site. Tax Key Nos. 575-8926-001 and 575-8926-002. On a roll call vote, the motion carried with Aldersons Bailey, Akers, Kastner, and Saryan voting yes; Alderson Lubotsky voting no.

It was moved by Alderson Kastner, seconded by Alderson Bailey to approve to rezone two parcels at 4142 S 43rd Street and 4202 S 43rd Street from R-3 Single Family to PUD – Residential for a proposed market-rate multi-family apartment development called "The Sanctuary at Cherokee Point". Tax Key Nos. 575-8926-001 and 575-8926-002. On a roll call vote, the motion carried with Aldersons Bailey, Akers, Kastner, and Saryan voting yes; Alderson Lubotsky voting no.

COMMON COUNCIL TO TAKE ACTION ON THE FOLLOWING COMMITTEE REPORTS:

11. Finance & Human Resources Committee held November 30, 2016

It was moved by Alderperson Saryan, seconded by Alderperson Kastner seconded to approve the following:

Item #3 approve an amendment to the lease agreement between the City of Greenfield and Milwaukee County for space in the radio room at the Law Enforcement Center/Library

Item #4 approve an intergovernmental agreement with Milwaukee County to allow the City of Greenfield to join the Oasis Radio System, which serves Milwaukee and Waukesha County

Item #5 Schedules of disbursements in the amounts of \$481,879.95; \$68,122.41; \$296,047.92 and \$82,946.28.

Item #6 Mileage reimbursements in the amount of \$670.67.

Item #7 Investments and reinvestments in the amounts of \$14,644,951.79 and \$17,533,269.64.

Item #8 Accept October 2016 financial statement.

On a roll call vote, the motion carried unanimously.

12. It was moved by Alderperson Akers, seconded by Alderperson Bailey to approve the issuance of an operator license to each of the following:

Agathen, Jennifer M. – 6630 W. Howard Ave.

Crawley, Samantha J. – 924 S. 74th St.

Engen, Elaina A. – W310 S8737 Casper Dr.

Galindo, Christopher J. – 4360 W. Tesch Ave.

Grotkiewicz, Nicholas C. – 4536 W. Tripoli Ave.

Hogan, Stacy A. – 3472 S. 91st St.

Jenels, Andrea L. – 2436 S. Wentworth Ave.

Kirkland, Beverly K. – 4800 W. Cold Spring Rd.

Kusik, Mary C. – 4610 S. 20th St.

Mesic, Annamarie V. – 9097 W. Waterford Sq. N

Nunez, Hortencia – 925 W. Walker St.

Price, Alyssa J. – 3337 E. Waterford Ave.

Weeks, Amanda L. – 203 S. 77th St.

Motion carried unanimously.

13. Department of Neighborhood Services Report:

a & b. It was moved by Alderperson Kastner, seconded by Alderperson Lubotsky to adopt Resolution No. 3579.

RESOLUTION NO. 3579

BE IT RESOLVED, by the Mayor and the Common Council of the City of Greenfield that the exceptions contained in the instruments listed below, be and the same are hereby accepted by the City of Greenfield for public right-of way purposes:

Exception: West 45 feet.
Tax Key No. 622-9961
Section Number: Northeast 1/4 Sec. 25, T 6 N, R 21 E
Recording Data: Document 9820039 (copy attached)
Recorded December 2, 2009

Also

Exception: West 45 feet.
Tax Key No. 622-9962
Section Number: Northeast 1/4 Sec. 25, T 6 N, R 21 E
Recording Data: Document 6450836 (copy attached)
Recorded January 17th, 1991

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 6th day of December, 2016.

APPROVED

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

Motion carried unanimously.

c. It was moved by Alderperson Akers, seconded by Alderperson Kastner to approve a fund transfer for a City Hall South entrance building repair. Motion carried unanimously.

14. City Attorney's Report:

It was moved by Alderperson Kastner, seconded by Alderperson Saryan to approve Ordinance No. 2859.

ORDINANCE NO. 2859

AN ORDINANCE TO AMEND THE ZONING ORDINANCE
(MAP) AND THE COMPREHENSIVE LAND USE MAP OF THE CITY OF GREENFIELD

WHEREAS, The Common Council of the City of Greenfield conducted public hearings in the Common Council Chambers of the City Hall at Greenfield, Wisconsin, on Tuesday, the 6th day of December, 2016 at 7:05 p.m. and 7:10 p.m. upon a proposal to amend Zoning Ordinance No. 2204A and amend Comprehensive Land Use Plan Ordinance No. 2629; and

WHEREAS, Notices of said hearing has been duly published in the Greenfield NOW Newspaper, formerly known as MyCommunityNow.com, and a period of at least ten (10) days has expired after the last publication before said hearings, all as required by State Law;

NOW, THEREFORE, The Common Council of the City of Greenfield do ordain as follows:

PART I. Zoning Ordinance No. 2204A adopted on the 8th day of April, 1998 relating to zoning, and Zoning Ordinance No. 2629 adopted on the 18th day of November, 2008 related to the land use map, are hereby amended.

PART II. The Zoning District for the parcel of land described as follows is hereby changed:

- From '*R-3 Single Family*' to '*PUD-Residential*'

The Comprehensive Land Use Plan designation for both proposed lots is hereby changed:

- From '*Single Family*' to '*Mixed Residential*'

3.2 acre site at 4142 S. 43rd Street & 4202 S. 43rd Street
Tax Key #575-8926-001 & 575-8926-002

Tax Key #575-8926-001. Commencing at a point on the West line of said ¼ Section that is 726.77 feet North of the Southwest corner of said ¼ Section; thence South 162.40 feet to a point; thence Easterly 615.05 feet to a point; thence Northerly 162.40 feet to a point; thence Westerly 615.05 feet to the point of beginning. Excepting there from those parts taken for public street purposes.

Tax Key #575-8926-002. That part of Northwest ¼ Section 24, Township 6 North, Range 21 East, City of Greenfield, and Milwaukee County, Wisconsin which is bounded and described as follows: Commencing at a point that is 726.77 feet North of and 25 feet East of the Southwest corner of said ¼ Section; thence East 590.32 feet to a point; thence North 73.79 feet to a point; thence West 590.32 feet to a point; thence South 73.79 feet to the point of beginning.

PART III. No building permit shall be issued for any structure to be built on the above described property unless the plans, specifications, layout, height, materials and setback lines of such a building are approved by the City of Greenfield.

PART IV. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART V. This ordinance shall take effect from and after its passage and publication.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 6th day of December, 2016.

APPROVED

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

On a roll call vote, the motion carried with Alderpersons Bailey, Akers, Kastner, and Saryan voting yes; Alderperson Lubotsky voting no.

It was moved by Alderperson Akers, seconded by Alderperson Lubotsky, to go in to closed session at 8:42 p.m. pursuant to Wisconsin Statutes, Section 19.85(1)(b) & (f) at 8:42 to consider the following:

Considering licensure, social or personal history, or medical information for purposes of issuing an operator license to Angela M. Oliver.

On a roll call vote, the motion carried unanimously.

- a. It was moved by Alderperson Akers, seconded by Alderperson Saryan, to adjourn closed session and reconvene into open session at 8:54 p.m. Motion carried unanimously.
- b. It was moved by Alderperson Lubotsky, seconded by Alderperson Akers, to deny the issuance of an operator license to Angela M. Oliver. On a roll call vote, the motion carried unanimously.

15. Items for future agenda

Alderperson Akers asked to be excused from the next Common Council meeting.

16. It was moved by Alderperson Akers, seconded by Alderperson Saryan to adjourn the meeting at 8:55 p.m. Motion carried unanimously.

Jennifer Goergen, City Clerk

JG:co

Minutes transcribed by Carrie Orlovsky, Deputy City Clerk
Distributed: December 27, 2016